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In re Application of :
Sethu K. Madhavan et al :
Application No. 10/722,260 : DECISION GRANTING PETITION
Filed: November 25, 2003 : UNDER 37 CFR 1.137(b)
Attorney Docket No. GP-304329 2760/154 :

This is a decision on the petition under 37 CFR 1.137(b), filed June 21, 2006, to revive the above-identified application.

The petition is GRANTED.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed September 23, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on December 24, 2005. A Notice of Abandonment was mailed on August 24, 2006, after the filing of the present petition to revive.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply (amendment), (2) the \$1,500 petition fee, and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the non-final Office action of September 23, 2005 is accepted as having been unintentionally delayed.

Pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Accordingly, since the \$1,020 extension of time submitted with the petition on June 21, 2006 was subsequent to the maximum period obtainable for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Technology Center AU 2617 for appropriate action in the normal course of business on the reply received June 21, 2006.

Frances Hicks
Frances Hicks
Petitions Examiner
Office of Petitions